

RALPH J. MARRA, JR.  
Acting United States Attorney  
LEAH A. BYNON  
Assistant U.S. Attorney  
970 Broad Street, Room 700  
Newark, NJ 07102  
Tel. 973-645-2736  
Fax. 973-645-3210  
email: LEAH.BYNON@usdoj.gov  
LAB0321  
(FLU:VC)

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

**UNITED STATES OF AMERICA,**

*Plaintiff,*

v.

**RAIYS GRIMES,**

*Defendant,*

and

**UNITED PARCEL SERVICE  
and its successors or assigns,**

*Garnishee.*

**HON. MARK FALK**

**CR NO. 06-352**

**APPLICATION AND ORDER  
FOR WRIT OF CONTINUING  
GARNISHMENT**

The United States of America, plaintiff, makes this application in accordance with 28 U.S.C. § 3205(b)(1) to the Clerk of the United States District Court to issue a Writ of Continuing Garnishment upon the judgment entered against the defendant, Raiys Grimes, social security number \*\*\*\*\*1114, whose last known address is: West Orange, NJ 07052 in the above cited action in the amount of \$34,210.00, plus interest at the rate of 0% per annum and penalties.

The total balance due and owing as of March 20, 2009 is \$33,950.00.

Demand for payment of the above-stated debt was made upon the debtor not less than 30 days from March 20, 2009, and debtor has failed to satisfy the debt.

The Garnishee is believed to owe or will owe money or wages to the judgment debtor. More specifically, the Garnishee is the employer of the defendant, Raiys Grimes, and its successors or assigns. This Writ of Continuing Garnishment is intended to compel the Garnishee to pay to the United States twenty-five percent (25%) of the disposable earnings of defendant, Raiys Grimes, pursuant to 28 U.S.C. § 3002(9).

The name and address of the Garnishee or his authorized agent is:

United Parcel Service  
799 Jefferson Road  
Parsippany, NJ 07054

Based upon the foregoing, the United States respectfully requests the Court to enter an Order directing the Clerk of the United States District Court to issue a Writ of Continuing Garnishment.

RALPH J. MARRA, JR.  
ACTING UNITED STATES ATTORNEY

  
By: LEAH A. BYNON  
ASSISTANT U.S. ATTORNEY

IT IS, on this 2<sup>nd</sup> day of April, 2009,

**ORDERED**, that the Clerk of the Court shall issue the Writ of Continuing Garnishment.

  
HON. MARK FALK  
UNITED STATES DISTRICT COURT

RALPH J. MARRA, JR.  
Acting United States Attorney  
LEAH A. BYNON  
Assistant U.S. Attorney  
970 Broad Street, Room 700  
Newark, NJ 07102  
Tel. 973-645-2736  
Fax. 973-645-3210  
email: LEAH.BYNON@usdoj.gov  
LAB0321  
(FLU:VC)

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

**UNITED STATES OF AMERICA,**

*Plaintiff,*

v.

**RAIYS GRIMES,**

*Defendant,*

and

**UNITED PARCEL SERVICE,  
and its successors or assigns,**

*Garnishee.*

**HON. MARK FALK**

**CR NO. 06-352**

**WRIT OF CONTINUING  
GARNISHMENT**

GREETINGS TO: United Parcel Service  
799 Jefferson Road  
Parsippany, NJ 07054

An Order Granting Application of the United States for a Writ of Continuing Garnishment against the property of Raiys Grimes, defendant, has been filed with this Court. A judgment has been entered against the above-named defendant in the amount of \$34,210.00, plus interest and penalties, computed through March 20, 2009.

You are required to begin withholding in accordance with this garnishment from the date you were served with these papers.

You are required by law to answer in writing, under oath, within ten (10) days, whether or not you have in your custody, control or possession, any property owned by the debtor, including non-exempt, disposable earnings.

Please state whether or not you anticipate paying the debtor any future payments and whether such payments are weekly, bi-weekly or monthly.

You must file the original written answer to this writ within ten (10) days of your receipt of this writ with the United States District Clerk at: King Federal Courthouse, 50 Walnut Street, Newark, N.J. 07102. Additionally, you are required by law to serve a copy of this writ upon the debtor and upon the United States Attorney, 970 Broad Street, 7th Floor, Newark, NJ 07102.

Under the law, there is property which is exempt from this Writ of Continuing Garnishment. Property which is exempt and which is not subject to this order is listed on the attached Claim for Exemption form.

Pursuant to 15 U.S.C. §1674, Garnishee is prohibited from discharging the defendant from employment by reason of the fact that his/her earnings have been subject to garnishment for any one indebtedness.

You shall withhold and retain any wages, monies and/or commissions payable to the defendant Raiys Grimes, in which the debtor has a substantial nonexempt interest and for which you are or may become indebted to the judgment debtor pending further order of the court. If you fail to answer this writ or withhold property in accordance with this writ, the United States of America may petition the Court for an order requiring you to appear before the Court.

If you fail to appear or do appear and fail to show good cause why you failed to comply with this writ, the Court may enter a judgment against you for the value of the debtor's non-exempt property.

It is unlawful to pay or deliver to the defendant any item attached by this writ.

DATED: 4/2/09

WILLIAM T. WALSH  
UNITED STATES DISTRICT COURT CLERK

By:

Lorraine McSherry  
DEPUTY CLERK

RALPH J. MARRA, JR.  
Acting United States Attorney  
LEAH A. BYNON  
Assistant U.S. Attorney  
970 Broad Street, Room 700  
Newark, NJ 07102  
Tel. 973-645-2736  
Fax. 973-645-3210  
email: LEAH.BYNON@usdoj.gov  
LAB0321  
(FLU:VC)

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

**UNITED STATES OF AMERICA,**

*Plaintiff,*

v.

**RAIYS GRIMES,**

*Defendant,*

and

**UNITED PARCEL SERVICE,  
and its successors or assigns,**

*Garnishee.*

**HON. MARK FALK**

**CR NO. 06-352**

**CLERK'S NOTICE OF  
POST-JUDGMENT  
GARNISHMENT**

**TO THE ABOVE-NAMED DEFENDANT AND ALL OTHER PERSONS INTERESTED:**

You are hereby notified that the non-exempt earnings are being taken by the United States of America which has a Court judgment in Criminal No. 06-352 in the sum of \$34,210.00. A balance of \$33,950.00 remains outstanding.

In addition, you are hereby notified that there are exemptions under the law which may protect some of the property from being taken by the Government if Raiys Grimes can show that the exemptions apply. Attached is a summary of the exemptions which are applicable pursuant to 18 U.S.C. § 3613(a).

If you are Raiys Grimes you have a right to ask the court to return your property to you if you think you do not owe the money to the Government that it says you do, or if you think the property the Government is taking qualifies under one of the above exemptions.

The instructions for objection to the Answer of the Garnishee and for obtaining a hearing on the objections are set forth in the "Notice of Garnishment and Instructions to the Above-named

Defendant" served upon you by the United States of America.

If you want a hearing, you must notify the court within 20 days after receipt of the notice. Your request must be in writing.

If you wish, you may use this notice to request the hearing by completing the Request for Hearing Form which is attached to the Writ of Continuing Garnishment. You must either mail it or deliver it in person to the Clerk of the United States District Court at the King Federal Courthouse, 50 Walnut Street, Newark, N.J. 07102. You must also send a copy of your request to the United States Attorney at 970 Broad Street, 7th Floor, Newark, NJ 07102, so the Government will know you want a hearing.

The hearing will take place within 5 days after the Clerk receives your request, if you ask for it to take place that quickly, or as soon after that as possible.


At the hearing you may explain to the judge why you think you do not owe the money to the Government. If you do not request a hearing within 20 days of receiving this notice, a Court Order will be entered attaching the wages, monies, and/or commissions which will then be applied against the judgment owed the Government.

If you think you live outside the Federal judicial district in which the court is located, you may request, not later than 20 days after you receive this notice, that this proceeding to take your property be transferred by the court to the Federal judicial district in which you reside. You must make your request in writing, and either mail it or deliver it in person to the Clerk of the District Court at the KING Federal Courthouse, 50 Walnut Street, Newark, N.J. 07102. You must also send a copy of your request to the United States Attorney at 970 Broad Street, 7th Floor, Newark, NJ 07102, so the Government will know you want the proceeding to be transferred.

Be sure to keep a copy of this notice for your own records. If you have any questions about your rights or about this procedure, you should contact a lawyer, an office of public legal assistance, or the clerk of the court. The clerk is not permitted to give legal advice, but can refer you to other sources of information.

WILLIAM T. WALSH  
CLERK, U.S. DISTRICT COURT

By:

  
Deputy Clerk

INSTRUCTIONS TO DEFENDANT DEBTOR ON  
HOW TO CLAIM EXEMPTIONS

The United States of America has applied for a Writ of Continuing Garnishment to be issued against your wages. It will be issued because there is a judgment against you.

The law provides that certain property and wages cannot be taken. Such property is said to be exempted. The attached Claim for Exemption Form lists the exemptions under federal law which are applicable to you. There is no exemption solely because you are having difficulty paying your debts.

If you claim an exemption from garnishment, you should do the following promptly:

1. Fill out the attached Claim for Exemption Form.
2. Deliver or mail the Form to the Clerk's Office of the United States District Court for the District of New Jersey, King Federal Courthouse,  
50 Walnut Street, Newark, N.J. 07102.
3. Deliver or mail the Forms to the Counsel of the United States, Leah A. Bynon, Assistant U.S. Attorney, 7th Floor, 970 Broad Street, Newark, New Jersey 07102.

If you elect, you have the right to a hearing within five business days, or as soon as possible, from the date you file the completed Claim for Exemption Form with the Clerk. In order to obtain this hearing, you must check the box provided on the attached Claim for Exemption Form. You will be notified as soon as possible of the date, time and place of hearing.

On the day of the hearing, you should come to court ready to explain why your property is exempted, and you should bring any documents which may help you prove your case. If you do not come to court at the designated time and prove that your property is exempt, you may lose some of your rights.

If the listed exemptions on the Form are not applicable and you do not claim an exemption, do not complete and file the Claim for Exemption Form.

It may be helpful to you to seek the advice of an attorney in this matter.